



**AGENDA  
BELOIT CITY COUNCIL  
100 State Street, Beloit WI 53511  
City Hall Forum – 7:00 p.m.  
Tuesday, September 3, 2013**

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
4. PUBLIC HEARINGS
  - a. Resolution authorizing a **Planned Unit Development** (PUD) Master Land Use Plan for the property located at 1877 Madison Road (Woodman's Food Markets, Inc.) (Christensen) Plan Commission recommendation for approval 4-0
5. CITIZENS PARTICIPATION
6. CONSENT AGENDA

All items listed under the Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which event the item will be removed from the General Order of Business and considered at this point on the agenda.

- a. Approval of the **Minutes** of the Regular Meeting of August 19, 2013 (LeMire)
  - b. Application for a **Zoning Map Amendment** to change the zoning district classification of the properties located at 2091 and 2105 Shopiere Road from R-1B, Single-family Residential District, to C-2, Neighborhood Commercial District (Christensen) Refer to Plan Commission
  - c. Application for an **Architectural Review Exception** to Section 34.15(1) of the Architectural Review and Landscape Code to allow the installation of metal siding on a commercial building in a C-2, Neighborhood Commercial District, for the property located at 105 Dearborn Street (Christensen) Refer to Plan Commission
  - d. Application for a **Conditional Use Permit** to allow a vehicle repair business in a C-3, Community Commercial District and Wellhead Protection Overlay District, for the property located at 1119 Broad Street (Christensen) Refer to Plan Commission
  - e. Resolution awarding **Public Works Contract C12-15**, Broad Street Parking Lot (Boysen)
7. ORDINANCES
    - a. Proposed Ordinance to amend various sections of the Code of General Ordinance of the City of Beloit pertaining to the name change of the **Equal Opportunities and Human Relations Commission (EOHRC)** (Christensen)  
First Reading, suspend rules for Second Reading

8. APPOINTMENTS – none

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

10. CITY MANAGER'S PRESENTATION – none

11. REPORTS FROM BOARD AND CITY OFFICERS

- a. Resolution approving **Benefits for Employees** in same-sex relationships who meet eligibility requirements (Arft)
- b. Resolution authorizing the City Manager to **appeal the Wisconsin Department of Revenue's Assessment and Determination** of the relative value of taxable general property in the City of Beloit to the Tax Appeals Commission and designating the City Manager as the City Council's official representative (Arft)  
(Documents will be available for review at the regular City Council meeting)

12. ADJOURNMENT

\*\* Please note that, upon reasonable notice, at least 24 hours in advance, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information to request this service, please contact the City Clerk's Office at 364-6680, 100 State Street, Beloit, WI 53511.

Dated: August 28, 2013  
Rebecca Houseman LeMire  
City of Beloit City Clerk  
<http://www.ci.beloit.wi.us>

You can watch this meeting live on Charter PEG channel 98 or digital channel 992. Meetings are rebroadcast during the week of the Council meeting on Tuesday at 1:00 p.m., Thursday at 8:30 a.m. and Friday at 1:00 p.m.

**RESOLUTION**  
**AUTHORIZING A PLANNED UNIT DEVELOPMENT (PUD) MASTER**  
**LAND USE PLAN FOR THE PROPERTY LOCATED AT 1877 MADISON ROAD**

**WHEREAS**, the application of Building Systems General Corp., on behalf of Woodman's Food Markets, Inc., for approval of a Planned Unit Development (PUD) - Master Land Use Plan for the property located at 1877 Madison Road, having been considered by the City Council of the City of Beloit, Wisconsin at a public hearing held for that purpose and due notice of said hearing having been given by publication as appears by the Proof of Publication on file in the office of the City Clerk.

**NOW, THEREFORE, IT IS HEREBY RESOLVED THAT**, the City Council of the City of Beloit, Rock County, Wisconsin does hereby approve the PUD - Master Land Use Plan for the property located at 1877 Madison Road in the City of Beloit, for the following described premises:

Lot 1 of a Certified Survey Map as recorded in Volume 29, Pages 83-86 in the Certified Survey Maps of Rock County, located in the City of Beloit, Rock County, Wisconsin. Said parcel contains 17.05 acres, more or less.

As a condition of approving the PUD - Master Land Use Plan, the City Council does hereby stipulate the following conditions and restrictions upon the development, which are hereby deemed necessary for the public interest:

1. This approval authorizes the construction of a detached 3,150 square-foot convenience store with 3 quick lube bays, a new canopy over 5 dual gasoline & diesel pumps, and a detached 2,112 square-foot automatic drive-through carwash with 2 bays on the Woodman's property located at 1877 Madison Road. These improvements may be located on the same zoning lot/tax parcel as the existing grocery store and warehouses.
2. The proposed drive-through carwash is hereby approved, and a separate Conditional Use Permit is not required.
3. For allowable use & dimensional standard purposes, the regulations applicable in the C-3, Community Commercial District shall apply to the subject property.
4. For outdoor sign purposes, the regulations applicable in the C-3 District shall apply to the subject property.
5. All of the recently approved Conditional Use Permits for the subject property and the conditions imposed thereon remain in full force and effect.
6. The final site plan shall include and the applicant shall construct a new sidewalk that will connect the new convenience store to the public sidewalk along the north side of Madison Road. The applicant shall provide a bike rack near the new convenience store that can accommodate at least 4 bicycles.
7. Full-scale vehicle repair as defined in the Zoning Ordinance is prohibited on the subject property.

8. Prior to issuance of a Building Permit for this project, the applicant shall rezone the subject property to PUD and submit detailed site & architectural plans for Planning staff review and approval.
9. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this PUD – Master Land Use Plan. The Director of Planning & Building Services may approve minor changes administratively and allow accessory structures and uses that comply with and meet all of the standards and requirements of the City of Beloit Municipal Code.

Adopted this 3<sup>rd</sup> day of September 2013.

**BELOIT CITY COUNCIL**

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Charles M. Haynes, Council President

ATTEST:

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Rebecca Houseman LeMire, City Clerk

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Planned Unit Development (PUD) - Master Land Use Plan Application for the property located at 1877 Madison Rd

**Date:** September 3, 2013

**Presenter(s):** Julie Christensen

**Department:** Community Development

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### **Overview/Background Information:**

Building Systems General Corp., on behalf of Woodman's Food Markets, Inc., has submitted an application for review and consideration of a Planned Unit Development (PUD) - Master Land Use Plan for the property located at 1877 Madison Road. The PUD District is a special-purpose zoning district that permits greater flexibility in land planning and site design than conventional zoning districts and is intended to provide flexibility in architectural design and clustering of buildings. The process begins with submittal of a PUD – Master Land Use Plan, which is a conceptual plan. The PUD process also involves rezoning the subject property to PUD, either during or after consideration of the PUD – Master Land Use Plan.

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### **Key Issues (maximum of 5):**

- This large parcel includes the Woodman's grocery store & parking lot, a massive warehouse complex, and a small gas station with quick lube & carwash services. The applicant constructed a 32,639 square-foot warehouse addition in 2011 and is currently constructing a 91,546 warehouse addition.
  - This proposed PUD – Master Land Use Plan involves the demolition of the existing gas station/carwash/quick lube facility, the demolition of an existing 34,000 square-foot warehouse, and the construction of a new gas station/carwash/quick lube facility at the southern end of the subject property near the intersection of Madison Road and Woodman Lane.
  - The existing Woodman's grocery store and warehouses are located on one zoning lot. The existing, detached gas station/carwash/quick lube facility is located on the same zoning lot, which is nonconforming. The PUD is necessary in order to construct a new, detached gas station/carwash/quick lube facility on the same lot as the other buildings.
  - The subject property is currently zoned C-3, Community Commercial. If the requested PUD – Master Land Use Plan is approved, the applicant will need to rezone the subject property to PUD and submit detailed site & architectural plans for Planning staff review and approval.
  - The proposed improvements consist of a 3,150 square-foot convenience store with 3 quick lube bays, a new canopy over 5 dual gasoline & diesel pumps, and a 2,112 square-foot automatic drive-through carwash with two bays. Although all drive-through uses require a Conditional Use Permit, Planning staff is recommending a condition of approval that will consolidate the CUP process with this PUD.
  - The Plan Commission reviewed this item on August 21, 2013 and voted unanimously (4-0) to recommend approval of the PUD - Master Land Use Plan, subject to the conditions recommended by Planning staff.
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### **Conformance to Strategic Plan:**

- Consideration of this request supports Strategic Goal #5.
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### **Sustainability:**

- **Reduce dependence upon fossil fuels** – Although the proposed PUD involves the replacement of a gas station, Planning staff is recommending conditions of approval that will accommodate bike riders and pedestrians.
  - **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
  - **Reduce dependence on activities that harm life sustaining eco-systems** – N/A
  - **Meet the hierarchy of present and future human needs fairly and efficiently** – This project is expect to have a positive impact upon all stakeholders.
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### **Action required/Recommendation:**

- City Council consideration and action on the proposed Resolution
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**Fiscal Note/Budget Impact:** N/A

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**Attachments:** Resolution and Staff Report to the Plan Commission

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# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION

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**Meeting Date:** August 21, 2013

**Agenda Item:** 3

**File Number:** PUD-2013-01

**Applicant:** Building Systems General Corp.

**Owner:** Woodman's Food Markets, Inc.

**Location:** 1877 Madison Road

**Existing Zoning:** C-3, Community Commercial District

**Existing Land Use:** Grocery Store, Warehouses, & Gas Station/Service

**Parcel Size:** 17.05 Acres

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### Request Overview/Background Information:

Building Systems General Corp., on behalf of Woodman's Food Markets, Inc., has submitted an application for review and consideration of a Planned Unit Development (PUD) - Master Land Use Plan for the property located at 1877 Madison Road. A copy of the PUD - Master Land Use Plan is attached to this report.

The PUD District is a special-purpose zoning district that permits greater flexibility in land planning and site design than conventional zoning districts and is intended to provide flexibility in architectural design and clustering of buildings. The process begins with submittal of a PUD – Master Land Use Plan, which is a conceptual plan. The PUD process also involves rezoning the subject property to PUD, either during or after consideration of the PUD – Master Land Use Plan.

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### Key Issues:

- This large parcel includes the Woodman's grocery store & parking lot, a massive warehouse complex, and a small gas station with quick lube & carwash services. The applicant constructed a 32,639 square-foot warehouse addition in 2011 and is currently constructing a 91,546 warehouse addition.
- The attached **Location and Zoning Map** shows the various zoning districts and land uses surrounding the subject property.
- This proposed PUD – Master Land Use Plan involves the demolition of the existing gas station/carwash/quick lube facility, the demolition of an existing 34,000 square-foot warehouse, and the construction of a new gas station/carwash/quick lube facility at the southern end of the subject property near the intersection of Madison Road and Woodman Lane.
- The existing Woodman's grocery store and warehouses are located on one zoning lot. The existing, detached gas station/carwash/quick lube facility is located on the same zoning lot, which is nonconforming. The PUD is necessary in order to construct a new, detached gas station/carwash/quick lube facility on the same lot as the other buildings.
- The applicant has the option of creating a new lot for the gas station/carwash/quick lube facility through a CSM, which would not require a PUD, but the applicant's preference is to keep all of the facilities on one parcel. Creating a new parcel may also create difficulty in terms of meeting the setbacks applicable to new underground fuel tanks.
- The subject property is currently zoned C-3, Community Commercial. If the requested PUD – Master Land Use Plan is approved, the applicant will need to rezone the subject property to PUD and submit detailed site & architectural plans for Planning staff review and approval.
- The proposed improvements consist of a 3,150 square-foot convenience store with 3 quick lube bays, a new canopy over 5 dual gasoline & diesel pumps, and a 2,112 square-foot automatic drive-through carwash with two bays. Although all drive-through uses require a Conditional Use Permit, Planning staff is recommending a condition of approval that will consolidate the CUP process with this PUD.
- According to Section 8-112 of the Zoning Ordinance, an automatic carwash must have four stacking spaces. The proposed carwash includes adequate stacking spaces.
- According to Section 8-103 of the Zoning Ordinance, the proposed gas station/carwash/quick lube facility must be served by 13 off-street parking stalls. When the filling stalls are included, the proposed facility includes 15 stalls.
- The proposed PUD – Master Land Use Plan also involves the addition of two loading docks to the westernmost warehouse and the construction of a small employee parking lot on the current gas station site.
- Planning staff is concerned about the lack of pedestrian connectivity on the subject property, and is recommending a condition of approval that will require the applicant to provide a sidewalk between the new facility and the public sidewalk along the north side of Madison Road. This sidewalk will be partially public and partially private.
- The City's review agents have reviewed the proposed PUD and have not submitted any comments.
- Section 5-305 of the Zoning Ordinance requires the City Council to establish development standards during the PUD process. Development standards are addressed in the Staff Recommendation section of this report.

- Section 2-402(g) of the Zoning Ordinance allows for the approval of a PUD - Master Land Use Plan if the following five criteria can be met:
  - **The plan represents an improvement over what could have been accomplished through strict application of otherwise applicable standards, based on the purpose and intent of the Zoning Ordinance.** The proposed plan allows flexibility in site design, specifically the relocation and replacement of a deteriorated gas station/carwash/quick lube facility, on the same parcel as the grocery store and warehouses, which would not be possible through strict interpretation of the Zoning Ordinance.
  - **The PUD - Master Land Use Plan complies with the standards of Section 5-300.** The PUD - Master Land Use Plan complies with the standards of Section 5-300.
  - **Service providers will be able to provide necessary public services, facilities, and programs to serve the development proposed.** Service providers will be able to provide necessary services, facilities, and programs to serve the development. The review agents have been notified and have not raised objections.
  - **The development is consistent with and implements the planning goals and objectives contained in the Comprehensive Plan and other adopted policies and documents.** See the consistency section below.
  - **The PUD - Master Land Use Plan is consistent with sound planning practice and the development will promote the general welfare of the community.** Subject to certain conditions of approval, the proposed PUD will improve the appearance of the subject property while enhancing traffic flow, safety, and pedestrian connectivity.

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**Consistency with Comprehensive Plan and Strategic Plan:**

The Comprehensive Plan recommends Community Commercial uses of the subject property. The PUD is consistent with the goals, objectives, and policies contained in the Comprehensive Plan. Consideration of this request supports Strategic Goal #5.

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**Sustainability:**

- **Reduce dependence upon fossil fuels** – Although the proposed PUD involves the replacement of a gas station, Planning staff is recommending conditions of approval that will accommodate bike riders and pedestrians.
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** – N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently** – This project is expect to have a positive impact upon all stakeholders.

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**Staff Recommendation:**

The Planning & Building Services Division recommends **approval** of the PUD - Master Land Use Plan for the property located at 1877 Madison Road, based on its consistency with the Zoning Ordinance and subject to the following conditions:

1. This approval authorizes the construction of a detached 3,150 square-foot convenience store with 3 quick lube bays, a new canopy over 5 dual gasoline & diesel pumps, and a detached 2,112 square-foot automatic drive-through carwash with 2 bays on the Woodman's property located at 1877 Madison Road. These improvements may be located on the same zoning lot/tax parcel as the existing grocery store and warehouses.
2. The proposed drive-through carwash is hereby approved, and a separate Conditional Use Permit is not required.
3. For allowable use & dimensional standard purposes, the regulations applicable in the C-3, Community Commercial District shall apply to the subject property.
4. For outdoor sign purposes, the regulations applicable in the C-3 District shall apply to the subject property.
5. All of the recently approved Conditional Use Permits for the subject property and the conditions imposed thereon remain in full force and effect.
6. The final site plan shall include and the applicant shall construct a new sidewalk that will connect the new convenience store to the public sidewalk along the north side of Madison Road. The applicant shall provide a bike rack near the new convenience store that can accommodate at least 4 bicycles.
7. Full-scale vehicle repair as defined in the Zoning Ordinance is prohibited on the subject property.
8. Prior to issuance of a Building Permit for this project, the applicant shall rezone the subject property to PUD and submit detailed site & architectural plans for Planning staff review and approval.
9. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this PUD – Master Land Use Plan. The Director of Planning & Building Services may approve minor changes administratively and allow accessory structures and uses that comply with and meet all of the standards and requirements of the City of Beloit Municipal Code.

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**Fiscal Note/Budget Impact:** N/A

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**Attachments:** Location & Zoning Map, Photos, PUD – Master Land Use Plan, Application, Public Notice, and Mailing List.

# Location & Zoning Map

1877 Madison Road

PUD-2013-01



1 inch = 208 feet

0 45 90 180 270 Feet

## Legend

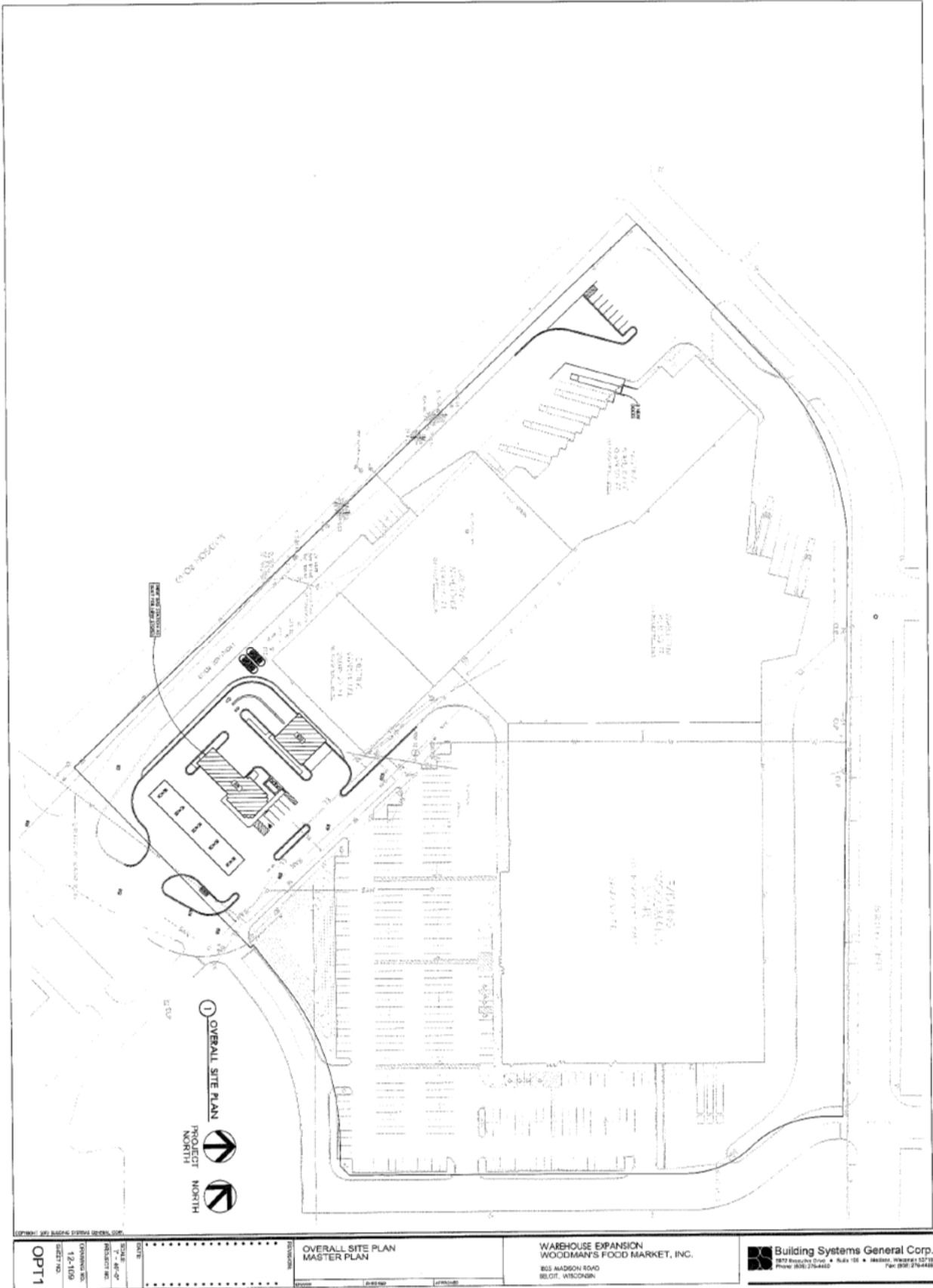
-  COB Parcels
-  Zoning District

Map prepared by: Drew Pennington  
Date: August 2013  
For: City of Beloit Planning & Building Services  
Date of Aerial Photography: March 2011

## PLANNING & BUILDING SERVICES DIVISION







PUD-2013-01, Woodman's, 1877 Madison Road, Council Report

# CITY of BELOIT

## Planning & Building Services Division

100 State Street, Beloit, WI 53511 Phone: (608) 364-6700 Fax: (608) 364-6609

### PUD - Master Land Use Plan Application

(Please Type or Print)

File Number: PUD-2013-01

1. Address of subject property: 1877 ~~1805~~ MADISON RD.

2. Legal description: \_\_\_\_\_  
If necessary attach a copy of the complete legal description.

3. Area of parcel in square feet or acres: 17.05 ACRES

4. Tax Parcel Number(s): 12810060

5. Owner of record: WOODMAN'S FOOD MARKET, INC Phone: 608-752-~~8774~~ 8382

2631 LIBERTY LANE JANESVILLE WI. 53545  
(Address) (City) (State) (Zip)

6. Applicant's Name: BUILDING SYSTEMS GENERAL CORP. - GARY FOX

5972 EXECUTIVE DR MADISON WI. 53719  
(Address) (City) (State) (Zip)

608-276-4400 / 608-575-7903 / G.FOX@BSAC-WI.COM  
(Office Phone #) (Cell Phone #) (E-mail Address)

7. All existing use(s) on this property are: GROCERY STORE / DISTRIBUTION CENTER / GAS STATION / CAR WASH

8. The applicant requests review and approval of a PLANNED UNIT DEVELOPMENT /  
Master Land Use Plan: in a(n) C-3 Zoning District.

9. A Preapplication Conference was held on: APRIL 18, 2013

10. All the proposed use(s) for this property will be:  
Principal use(s): THOSE ALLOWED IN C-3  
Secondary use(s): GAS STATION / LUBE CENTER / CAR WASH

11. State how the proposed development differs from the type of development that would be permitted under the existing zoning regulations. IT ALLOWS THE GAS STATION / LUBE CENTER / CAR WASH TO BE BUILT ON THE SAME PARCEL

12. Describe how the proposed development provides greater benefits to the City of Beloit than an otherwise permitted development. WITHOUT THE PUD THE OWNER WOULD NOT BE ABLE TO EXPAND HIS EXISTING FACILITY AND EMPLOYMENT

Stk 7/29

13. Project timetable: Start date: SPRING 2014 Completion date: AUGUST 2014

14. I/We) represent that I/we have a vested interest in this property in the following manner:

- ( ) Owner
- ( ) Leasehold, length of lease: \_\_\_\_\_
- Contractual, nature of contract: CONSTRUCTION MANAGED
- ( ) Other, explain: \_\_\_\_\_

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct.

I/We, the undersigned, do hereby respectfully make application for and petition the City Plan Commission and City Council to grant the requested action for the purpose stated herein. I/We represent that the granting of the proposed request will not violate any of the required standards of the Zoning Ordinance of the City of Beloit. I/We also agree to abide by all applicable federal, state and local laws, ordinances, rules, and regulations.

[Signature], Clint Woodman, 7-2-13  
 (Signature of Owner) (Print name) (Date)

[Signature], GARY W. FOX, 7/2/13  
 (Signature of Applicant, if different) (Print name) (Date)

In order for your request to be heard and considered in a timely manner, you must submit the completed application and all accompanying documents to the Planning & Building Services Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting.

This application must be submitted with one copy of a scaled drawing showing the layout of the proposed development in accordance with all code requirements, and the \$200.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant and these costs are typically between \$5.00 and \$15.00.

To be completed by Planning Staff		
Filing fee: <u>\$200.00</u>	Amount paid: <u>\$200.00</u>	Meeting date: <u>Aug. 21, 2013</u>
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____	
Application accepted by: <u>[Signature]</u>	Date: <u>7/8/13</u>	



City of  
**BELOIT, Wisconsin**  
Division of Planning and Building Services

CITY HALL • 100 STATE STREET • BELOIT, WI 53511  
Office: 608/364-6700 • Fax: 608/364-6609  
www.ci.beloit.wi.us

*Equal Opportunity Employer*

## NOTICE TO THE PUBLIC

August 7, 2013

To Whom It May Concern:

Building Systems General Corp., on behalf of Woodman's Food Markets, Inc., has submitted an application for review and consideration of a Planned Unit Development (PUD) - Master Land Use Plan in a C-3, Community Commercial District, for the property located at:

**1877 Madison Road.**

This proposed PUD – Master Land Use Plan involves the demolition of the existing gas station/carwash/quick lube facility, the demolition of an existing 34,000 square-foot warehouse, and the construction of a new gas station/carwash/quick lube facility at the southern end of the subject property near the intersection of Madison Road and Woodman Lane. A copy of the PUD - Master Land Use Plan is attached to this notice.

The following public hearings will be held regarding this proposed PUD - Master Land Use Plan:

**City Plan Commission:** Wednesday, August 21, 2013, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

**City Council:** Tuesday, September 3, 2013, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

**THE PUBLIC IS INVITED TO ATTEND THESE HEARINGS.**

**We are interested in your opinion.**

Anyone bringing handouts to the Plan Commission meeting must bring ten (10) copies and submit them to the Recording Secretary before the meeting begins. Staff is unable to leave the meeting area to make copies.

*For additional information, please contact Drew Pennington in the Planning & Building Services Division at (608) 364-6711 or penningtond@ci.beloit.wi.us. Comments will be accepted via telephone, email, and U.S. Mail.*

PUD-2013-01, Woodman's, 1877 Madison Road

STATELINE VETERINARY  
HOSPITAL  
P O BOX 100  
CLINTON, WI 53525

FIRST NATIONAL BANK &  
TRUST CO  
P O BOX 818  
BELOIT, WI 535120818

BELOIT HEALTH SYSTEMS  
INC  
1969 WEST HART RD  
BELOIT, WI 53511  
PAUL SUNDE  
2545 S VICTORY DR  
BELOIT, WI 53511

ALBERT ENGLESON  
1904 FREDERICK ST  
BELOIT, WI 535112710

FREE METHODIST CHURCH OF  
BELOIT  
1919 CLEORA DR  
BELOIT, WI 535120385

THOMAS & LAUREN HARTUNG  
1804 MADISON RD  
BELOIT, WI 53511

THOMAS H & MARY M  
SWEZEY  
2450 S CLOVER LN  
BELOIT, WI 53511

MUKESHBHAI V &  
HINABAHEN M PATEL  
1850 MADISON RD  
BELOIT, WI 53511  
FOUR STAR PARTNERSHIP  
P O BOX 253  
BELOIT, WI 535120253

SHIRLEY SHEAR  
2013 GRANT ST  
BELOIT, WI 535112837

DENISE HOWARD  
1812 MADISON RD  
BELOIT, WI 53511

JOHNSON BANK  
1 SOUTH MAIN ST  
JANESVILLE, WI 53545

WOODMANS FOOD MARKETS  
INC  
2631 LIBERTY LN  
JANESVILLE, WI 535450319  
LAYMON BLAKE  
1903 FREDERICK ST  
BELOIT, WI 535112709

SUMMERSET LLC  
7447 UNIVERSITY AVE #210  
MIDDLETON, WI 53562



**PROCEEDINGS OF THE BELOIT CITY COUNCIL**  
**100 State Street, Beloit WI 53511**  
**Monday, August 19, 2013**

Presiding: Charles M. Haynes  
Present: Kevin D. Leavy, Mark Spreitzer, and James E. Van De Bogart  
Absent: Sheila De Forest, Chuck Kincaid, and David F. Luebke

1. The meeting was called to order at 7:00 p.m. in the Forum at Beloit City Hall.
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
  - a. Vice President Spreitzer presented **Certificates of Appreciation** for the Graduates of the "Landlord and the Law" Workshops Series to Beth Olson, Frank Gutierrez, Diana Gutierrez, and Tom Brogan who were present at the meeting. Certificates were also awarded to Alice Vinson, Manual Casares, Julie Bakke, Josh Kooiman, Joann Felckowski, and Dan Felckowski, who were not present. Dick Adams, representing the Beloit Property Management Association, gave an overview of the requirements to graduate from the class. Dale Hicks, President of the State Landlords Association, presented the graduates with Completion Certificates from his association.
4. PUBLIC HEARINGS
  - a. Community Development Director Julie Christensen presented a resolution authorizing a **Conditional Use Permit** to allow a Residential Care Apartment Complex in a C-1, Office District, for the property located at 2157 Schuster Drive. It was noted that the Plan Commission recommended approval 4-0. Ms. Christensen explained the project and an upcoming land division. She stated that primary access to the facility would be on Cranston Road. President Haynes opened and closed the public hearing without participation. Councilor Van De Bogart made a motion to adopt the resolution, and Councilor Leavy seconded. The motion carried 4-0. File 8543
  - b. Ms. Christensen presented a resolution authorizing a **Conditional Use Permit** to allow the indoor sale, possession, and consumption of alcohol in a C-2, Neighborhood Commercial District, for the property located at 946 Wisconsin Avenue. It was noted that the Plan Commission recommended approval 4-0. Ms. Christensen said that there were two comments from the public regarding concerns of possible increased traffic and proximity to the school. President Haynes opened and closed the public hearing without participation. Councilor Spreitzer made a motion to adopt the resolution, and Councilor Van De Bogart seconded. The motion carried 4-0. File 8604
  - c. Ms. Christensen presented a resolution authorizing a **Conditional Use Permit** to allow a drive-in use; an outdoor seating area; and sales, possession, and consumption of Alcohol in a C-2, Neighborhood Commercial District, for the property located at 2777 Milwaukee Road. It was noted that the Plan Commission recommended approval 4-0. Ms. Christensen stated that this property is located in the Milwaukee Road Overlay District and that direct access to Milwaukee Road is prohibited. She stated that Qdoba Restaurant is the proposed drive-through tenant. President Haynes opened and closed the public hearing without participation. Councilor Spreitzer made a motion to adopt the resolution, and Councilor Van De Bogart seconded. Councilor Van De Bogart asked if the drive-through sale of alcoholic beverages would be permitted. Ms. Christensen said she did not think that is the intent of the restaurant. Councilor Leavy made a motion to amend the resolution to include a condition prohibiting the sale of alcoholic beverages through the drive-through window. Councilor Van De Bogart seconded. The amendment carried 4-0. The underlying motion to adopt the resolution, including the amendment, carried 4-0. File 8055

5. CITIZENS PARTICIPATION – none

6. CONSENT AGENDA

Councilor Leavy made a motion to adopt the Consent Agenda, which consists of items 6.a. through 6.d. Councilor Spreitzer seconded, and the motion carried that the Consent Agenda be accepted, approved, adopted, or referred and acted upon as required by state and local codes by a vote of 4-0.

- a. The **Minutes** of the Regular Meeting of August 5, 2013 were approved.
- b. The resolution approving a **Class “B” Beer and “Class C” Wine License** for Jesus Garcia, d/b/a Restaurant La Fuente, 946 Wisconsin Avenue, was adopted. File 8590
- c. The resolution approving **Change of Agent** for Wal-Mart Stores East, LP, d/b/a Wal-Mart Supercenter #2532, located at 2785 Milwaukee Road, from Scott Greschner to Michael A. Lane, Jr., was adopted. File 8590
- d. The application for a **Planned Unit Development (PUD)** Master Land Use Plan for the property located at 1877 Madison Road (Woodman’s Food Markets, Inc.), was referred to the Plan Commission. File 7614

7. ORDINANCES

- a. Public Works Director Gregory Boysen presented a proposed ordinance to Repeal Part I of Section III and to Create Part J of Section III of the Index of Special Locations, Section 13.02 of the Code of General Ordinances of the City of Beloit, Relating to **Parking of Vehicles on the Near Side of Highways Adjacent to Schoolhouses**. It was noted that the Traffic Review Committee recommended approval 6-0. Councilor Van De Bogart made a motion to suspend the rules and offer a second reading of the ordinance. Councilor Leavy seconded, and the motion carried 4-0. On the merits of the ordinance, Councilor Van De Bogart made a motion to enact. Councilor Leavy seconded, and the motion carried 4-0. File 7791 Ordinance 3496
- b. Mr. Boysen presented a proposed ordinance to **Remove Loading Zone Designations** along Poff Street and Townline Avenue near Converse School. It was noted that the Traffic Review Committee recommended approval 6-0. Councilor Leavy made a motion to suspend the rules and offer a second reading of the ordinance. Councilor Spreitzer seconded, and the motion carried 4-0. On the merits of the ordinance, Councilor Spreitzer made a motion to enact. Councilor Van De Bogart seconded, and the motion carried 4-0. File 7791 Ordinance 3497
- c. Mr. Boysen presented a proposed ordinance to **Remove 2-hour Parking Restrictions** in the Heritage View Parking Lot. It was noted that the Traffic Review Committee recommended approval 6-0. Councilor Van De Bogart made a motion to suspend the rules and offer a second reading of the ordinance. Councilor Leavy seconded, and the motion carried 4-0. On the merits of the ordinance, Councilor Spreitzer made a motion to enact. Councilor Leavy seconded, and the motion carried 4-0. File 7791 Ordinance 3498
- d. Mr. Boysen presented a proposed ordinance **Changing the One-Way Travel Direction on Locust Street** between Eighth Street and Bluff Street from Westbound to Eastbound. It was noted that the Traffic Review Committee recommended approval 5-0. Councilor Leavy made a motion to suspend the rules and offer a second reading of the ordinance. Councilor Van De Bogart seconded, and the motion carried 4-0. On the merits of the ordinance, Councilor Van De Bogart made a motion to enact. Councilor Leavy seconded, and the motion carried 4-0. File 7791 Ordinance 3499

8. APPOINTMENTS

President Haynes announced the openings and submitted the following appointments to the City Committees, Boards, and Commissions for approval. The appointments were approved on a motion by Councilor Leavy and a second by Councilor Spreitzer. The motion carried 4-0.

- a. **Alcohol Beverage License Control Committee:** Tina Goecks as the School District of Beloit Representative for the 2013-2014 school year; and Ronald Tilley as the Tavern League Representative, for a term ending June 30, 2016. File 6145
- b. **Business Improvement District (Downtown Beloit Association):** James Packard, Jr., Regal Beloit, for a term ending December 31, 2015. File 6716



- c. **Equal Opportunities and Human Relations Commission:** Steve Howland for a term ending June 30, 2016. File 7465
- d. **Park, Recreation & Conservation Advisory Commission:** Mark Smullen as the School District of Beloit Representative for the 2013-2014 school year; and Rebecca Charles, as the Youth Representative, for a term ending September 30, 2013. File 6180
- e. **Plan Commission:** Jan S. Ruster for a term expiring April 30, 2015. File 6064

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- Councilor Van De Bogart stated that there are a tremendous number of activities taking place around our community this time of year and encouraged the public to enjoy them safely.

10. CITY MANAGER'S PRESENTATION – none

11. REPORTS FROM BOARD AND CITY OFFICERS

- a. Mr. Boysen presented a resolution approving a **Water Tower and Ground Space Lease** with First National Bank and Trust Company for Space on the Water Tower Site at 2875 Cranston Road. He indicated that First National Bank will withdraw the request for a Conditional Use Permit to allow a wireless communication facility on their property if this lease is approved. Councilor Van De Bogart made a motion to adopt the resolution, and Councilor Spreitzer seconded. Councilor Haynes said that this partnership represents a win for the City and a win for First National Bank. The motion carried 4-0. File 7595
  - b. Operations Director Chris Walsh presented a resolution approving an **Intergovernmental Agreement** between the City of Beloit and the School District of Beloit for Solid Waste Services. Ms. Walsh stated that this contract is for both recyclables and trash and that the Board of Education has already approved the contract unanimously. She indicated that this will provide a new revenue source for the City, provide a cost-savings for the school district, and benefit a local company. Councilor Van De Bogart made a motion to adopt the resolution, and Councilor Leavy seconded. The motion carried 4-0. File 8066
12. At 7:36 p.m., Councilor Spreitzer made a motion to adjourn the meeting, and Councilor Van De Bogart seconded. The motion carried 4-0.

---

Rebecca Houseman LeMire, City Clerk

[www.ci.beloit.wi.us](http://www.ci.beloit.wi.us)

Date approved by Council:

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

---



**Topic:** Zoning Map Amendment Application for the properties located at 2091 & 2105 Shopiere Road – Council Referral to the Plan Commission

**Date:** September 3, 2013

**Presenter(s):** Julie Christensen

**Department:** Community Development

---

### Overview/Background Information:

David Brown & Sharon Granberg have submitted an application for a Zoning Map Amendment to change the zoning district classification from R-1B, Single-Family Residential District to C-2, Neighborhood Commercial District, for the properties located at 2091 & 2105 Shopiere Road.

---

### Key Issues (maximum of 5):

- Mr. Brown owns the commercial building located at 2091 Shopiere Road, which has legal nonconforming status as a commercial building in a residential zoning district. Mr. Brown approached Planning staff regarding the possibility of rezoning his property to C-2. Planning staff expressed support for the concept of a small, neighborhood-scale commercial district in this area, but advised Mr. Brown that he would need to partner with an adjacent property owner in order to avoid a spot zoning situation.
- Ms. Granberg owns the property located at 2105 Shopiere Road, which is currently used as a single-family dwelling.
- The applicants also submitted an application to amend the Comprehensive Plan's Future Land Use Map to recommend Neighborhood Commercial uses and C-2 zoning classification for the subject properties. The request to amend the plan will be reviewed concurrently during the Plan Commission and City Council hearings, but does not need to be referred to the Plan Commission like a Zoning Map Amendment.

---

### Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

- Consideration of this request supports Strategic Goal #5.

---

### Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- Reduce dependence upon fossil fuels – N/A
- Reduce dependence on chemicals and other manufacturing substances that accumulate in nature – N/A
- Reduce dependence on activities that harm life sustaining eco-systems – N/A
- Meet the hierarchy of present and future human needs fairly and efficiently – N/A

---

### Action required/Recommendation:

- Referral to the Plan Commission for the September 4, 2013 meeting
- This item will most likely return to the City Council for a public hearing and possible action on October 7, 2013

---

**Fiscal Note/Budget Impact:** N/A

---

**Attachments:** Application

# CITY of BELOIT

## NEIGHBORHOOD PLANNING DIVISION

100 State Street, Beloit, WI 53511

Phone: (608) 364-6700

Fax: (608) 364-6609

### Zoning Map Amendment Application Form

(Please Type or Print)

File No.: ZMA-2013-11

1. Address of subject property: 2091 Shopiere Road and 2105 Shopiere Road

2. Legal description: Lot: 10 Block: 88 Subdivision: Single Block Lindale Place  
(If property has not been subdivided, attach a copy of the complete legal description from deed.)

Property dimensions are: 100.00 feet by 105.00 feet = 12,500.00 square feet.

If more than two acres, give area in acres: \_\_\_\_\_ acres.

3. Tax Parcel Number(s): 21951140 & 21960020

4. Owner of record: Theron D. Shankberg Phone: 608-362-0802  
2105 Shopiere Road Beloit, WI 53511  
2105 Dartmouth Drive Janesville, WI 53548  
(Address) (City) (State) (Zip)

5. Applicant's Name: David Shankberg  
2105 Shopiere Road Beloit, WI 53511  
2105 Dartmouth Drive Janesville, WI 53548  
(Address) (City) (State) (Zip)

608-362-0802 / 608-201-1962 / shankberda@firstweb.com  
(Office Phone #) (Cell Phone #) (E-mail Address)

6. THE FOLLOWING ACTION IS REQUESTED:

Change zoning district classification from: RF Residential to: Neighborhood Commercial  
All existing uses on this property are: Hispanic Bakery, Hair Salon, (C-2) Transportation Service

7. All the proposed uses for this property are:

Principal use(s): any business that is in C-2 classification

Secondary use(s): Salon

Accessory use(s): Transportation Service

8. I/we represent that I/we have a vested interest in this property in the following manner:

- Owner David H Brown + Sharon J Granberg
- Leasehold, Length of lease: \_\_\_\_\_
- Contractual, Nature of contract: \_\_\_\_\_
- Other, explain: \_\_\_\_\_

9. Individual(s) responsible for compliance with conditions (if any), if request is granted:

Name(s): David H Brown Phone: 608-201-1962  
2905 Dartmouth Drive Janesville WI 53548  
(Address) (City) (State) (Zip)

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct.

I/we, the undersigned, do hereby respectfully make application for and petition the City Plan Commission and City Council to grant the requested action for the purpose stated herein. I/we represent that the granting of the proposed request will not violate any of the required standards of the Zoning Ordinance of the City of Beloit. I/we also agree to abide by all applicable federal, state and local laws, ordinances, rules, and regulations.

Sharon J Granberg / SHARON GRANBERG / 8/2/13  
(Signature of Owner) (Print name) (Date)  
David H Brown / David H Brown / 8/2/13  
(Signature of Applicant, if different) (Print name) (Date)

In order for your request to be heard and considered in a timely manner, you must submit the completed application and all accompanying documents to the Neighborhood Planning Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting. This application must be submitted with the \$275.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant, and it is typically between \$5.00 and \$20.00.

To be completed by Planning Staff		
Filing Fee: <b>\$275.00</b>	Amount Paid: <u>\$275.<sup>00</sup></u>	Meeting Date: <u>Sept. 4, 2011</u>
Number of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____	
Application accepted by: <u>[Signature]</u>	Date: <u>8/2/13</u>	
Date Notice Published: _____	Date Notice Mailed: _____	

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Exception to the Architectural Review and Landscape Code for the property located at 105 Dearborn Street – Council Referral to the Plan Commission

**Date:** September 3, 2013

**Presenter:** Julie Christensen

**Department:** Community Development

---

### Overview/Background Information:

Cornellier Enterprises has filed an application for an Exception to Section 34.15(1) of the Architectural Review and Landscape Code to allow the installation of metal siding on a commercial building in a C-2, Neighborhood Commercial District, for the property located at 105 Dearborn Street.

---

### Key Issues (maximum of 5):

- According to Section 34.15(1) of the Architectural Review and Landscape Code, no more than 25% of the exterior walls of a non-industrial building may be metal.
- The applicant has proposed the installation of metal siding on the Cornellier Fireworks building that is grey and red in color.
- The application and supporting documents are attached to this report.
- If the requested Exception is approved, the applicant will need to obtain an Architectural Review Certificate and Building Permit before beginning this project.

---

### Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

- Consideration of this request supports Strategic Goal #5.

---

### Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- Reduce dependence upon fossil fuels – N/A
- Reduce dependence on chemicals and other manufacturing substances that accumulate in nature – N/A
- Reduce dependence on activities that harm life sustaining eco-systems – N/A
- Meet the hierarchy of present and future human needs fairly and efficiently – N/A

---

### Action required/Recommendation:

- Referral to the Plan Commission for the September 4, 2013 meeting
- This item will most likely return to the City Council for a public hearing and possible action on September 16, 2013

---

**Fiscal Note/Budget Impact:** N/A

---

**Attachments:** Application and Example Photograph

# CITY of BELOIT

## Neighborhood Planning Division

100 State Street, Beloit, WI 53511 Phone: (608) 364-6700 Fax: (608) 364-6609

### Architectural Review Exception Application Form

(Please Type or Print)

File number: ARC/EXP-2013-01

1. Name of applicant: CORNELLIER ENTERPRISES Phone #: 608-362-0555

123 DEARBORN ST BELOIT WI. 53511  
(Address) (City) (State) (Zip)

2. Address of subject property: 105 DEARBORN ST.

3. Tax Parcel Number(s): 10-#206 13640101

4. Legal description: SEE ATTACHED

5. Present zoning: \_\_\_\_\_ Present use: SALE OF FIREWORKS

6. Proposed use (if different): \_\_\_\_\_

7. Owner of record: CORNELLIER ENTERPRISES Phone: 608-362-0555

123 DEARBORN ST BELOIT WI. 53511  
(Address) (City) (State) (Zip)

8. Code from which relief is sought or exception is taken:

Architectural Review ( ) Landscape Regulations

9. State specific sections of code and exception(s) requested: (Use separate sheet if necessary)

SEEKING AN EXCEPTION TO THE 25% METAL CAP  
IN SECTION 34.15(1) OF THE ARCHITECTURAL  
REVIEW CODE

10. State specific hardship experienced by the applicant: (Use separate sheet if necessary)

(Continued on back)

#1 Paint keeps fading and chipping off wood / most of building is ground level with pavement so lots of moisture damage keeps happening. Between the constant sun and moisture we are painting and replacing wood around the building on an annual basis.

#2 Replacing the wood with a metal siding will be much more cost efficient for our company. Our goal is to get 25 years out of this metal product.

#3 We are currently doing alot of work on our buildings in this area and think this metal siding would tie in nicely with the work we have already done.

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11. In order for this application to be considered complete, the applicant must attach a scale drawing (1" = 20' usually works best) showing the location of property lines and their dimensions, existing buildings and improvements, all abutting properties and improvements thereon, and the proposed changes or additions. A professional drawing is not required. You are required to furnish a legible drawing with enough detail that will adequately advise and inform the Commission.

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct.

*Larry N. Cornallier* (Signature of Owner)      LARRY N CORNALLIER SR (Print name)      8-7-13 (Date)

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
 (Signature of Applicant, if different)      (Print name)      (Date)

The applicant acknowledges that this application is not deemed filed until dated and receipt acknowledged by a person authorized to receive the application. The applicant is entitled to receive a copy of the acknowledged application once it is officially reviewed and accepted.



Hearings are usually held in City Hall Forum, City Hall, 100 State Street at 7:00 P.M.

In order for your request to be heard and considered in a timely manner, you must submit the completed application to the Neighborhood Planning Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting.

The application fee will be \$100 and applicants will be charged actual out-of-pocket costs for mailing public notices at the rate of \$0.50 per notice.

To be completed by Planning staff	
Filing fee: <u>\$100.00</u>	Amount paid: <u>\$100.<sup>00</sup></u> Meeting date: <u>Sept. 4, 2013</u>
Application accepted by: <u>[Signature]</u>	Date: <u>8/2/13</u>
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____
Date Notice Published: _____	Date Notice Mailed: _____



**Options Shown**

Roof : Brite Red  
Siding : Charcoal Gray  
Door : White  
Wainscot : Brite Red  
Trim : Charcoal Gray

Designed using the Midwest Manufacturing Post Frame Building Color Selector tool  
For other helpful project planning tools, visit  
[www.midwestmanufacturing.com](http://www.midwestmanufacturing.com)





# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Conditional Use Permit Application for the property located at 1119 Broad Street – Council Referral to the Plan Commission

**Date:** September 3, 2013

**Presenter(s):** Julie Christensen

**Department:** Community Development

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**Overview/Background Information:**

Cornellier Enterprises has filed an application for a Conditional Use Permit to allow vehicle repair in the C-3, Community Commercial District and Wellhead Protection Overlay District, for the property located at 1119 Broad Street.

---

**Key Issues (maximum of 5):**

- Ace Auto Sales & Repair operated at this location until closing earlier this year. Because the prior use was discontinued, a Conditional Use Permit is required before vehicle repair may be reestablished in the C-3 district.
- The applicant intends to lease the subject property to a business that will sell and repair vehicles.
- The applicant has not proposed any changes to the building or site.
- The application and building & site sketch are attached to this report.

---

**Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):**

- Consideration of this request supports Strategic Goal #5.

---

**Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):**

- Reduce dependence upon fossil fuels – N/A
- Reduce dependence on chemicals and other manufacturing substances that accumulate in nature – N/A
- Reduce dependence on activities that harm life sustaining eco-systems – N/A
- Meet the hierarchy of present and future human needs fairly and efficiently – N/A

---

**Action required/Recommendation:**

- Referral to the Plan Commission for the September 4, 2013 meeting
- This item will most likely return to the City Council for a public hearing and possible action on September 16, 2013

---

**Fiscal Note/Budget Impact:** N/A

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**Attachments:** Application & Site/Building Sketch

# CITY of BELOIT

## Planning and Building Services Division

100 State Street, Beloit, WI 53511 Phone: (608) 364-6700 Fax: (608) 364-6609

### Conditional Use Permit Application

(Please Type or Print)

File Number: CU-2013-14

1. Address of subject property: 1119 BROAD ST

2. Legal description: \_\_\_\_\_

If property has not been subdivided, attach a copy of the complete legal description from deed.

Property dimensions are: \_\_\_\_\_ feet by \_\_\_\_\_ feet = \_\_\_\_\_ square feet.

If more than two acres, give area in acres: \_\_\_\_\_ acres.

3. Tax Parcel Number(s): 13650806

4. Owner of record: CORNELLIER ENT. Phone: 608-362-0555

123 DEARBORN ST. BELOIT WI. 53511  
(Address) (City) (State) (Zip)

5. Applicant's Name: CORNELLIER ENT.

123 DEARBORN ST. BELOIT WI. 53511  
(Address) (City) (State) (Zip)

608-362-0555 1-608-751-0975 BRADLAWVER@YAHOO.COM  
(Office Phone #) (Cell Phone #) (E-mail Address)

6. All existing use(s) on this property are: CAR REPAIR & CAR SALES

7. **THE FOLLOWING ACTION IS REQUESTED:**

A Conditional Use Permit for: VEHICLE REPAIR  
in a(n) C-3 Zoning District.

8. All the proposed use(s) for this property will be:

Principal use: CAR SALES

Secondary use: VEHICLE REPAIR

Accessory use: AUTO BODY REPAIR

**City of Beloit** **Conditional Use Permit Application Form (continued)**

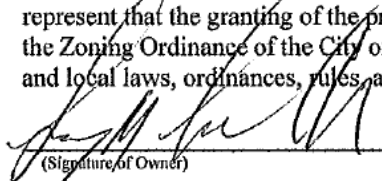
9. Project timetable: Start date: \_\_\_\_\_ Completion date: \_\_\_\_\_

10. I/We) represent that I/we have a vested interest in this property in the following manner:

- Owner
- Leasehold, length of lease: \_\_\_\_\_
- Contractual, nature of contract: \_\_\_\_\_
- Other, explain: \_\_\_\_\_

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct.

I/We, the undersigned, do hereby respectfully make application for and petition the City Plan Commission and City Council to grant the requested action for the purpose stated herein. I/We represent that the granting of the proposed request will not violate any of the required standards of the Zoning Ordinance of the City of Beloit. I/We also agree to abide by all applicable federal, state and local laws, ordinances, rules, and regulations.


 \_\_\_\_\_, LARRY N. CORNELIUS, 8-8-13  
(Signature of Owner) (Print name) (Date)  
 \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
(Signature of Applicant, if different) (Print name) (Date)

In order for your request to be heard and considered in a timely manner, you must submit the completed application, and all accompanying documents, to the Planning and Building Services Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting.

This application must be submitted with one copy of a scaled drawing showing the layout of the proposed development in accordance with all code requirements, and the \$275.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant and these costs are typically between \$5.00 and \$15.00.

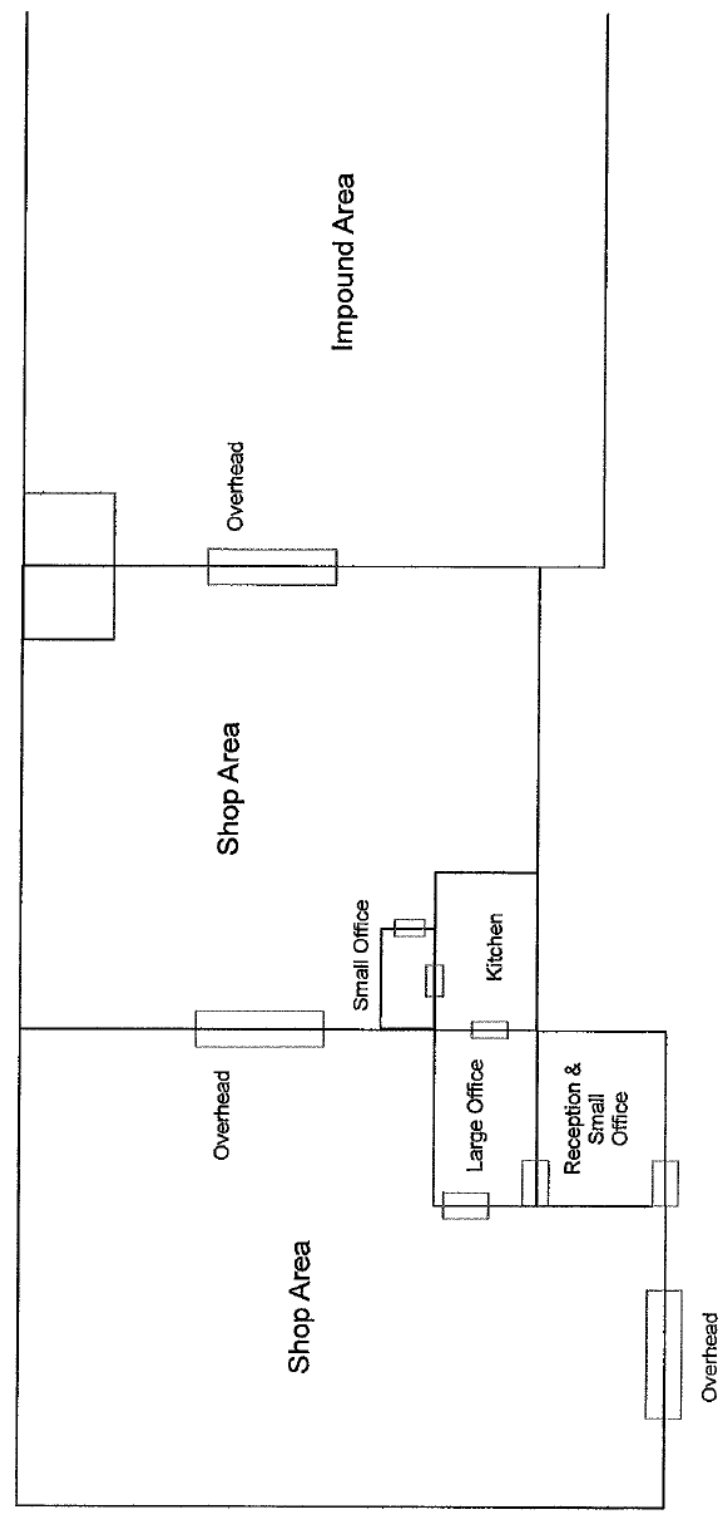
To be completed by Planning Staff	
Filing fee: <b>\$275.00</b>	Amount paid: <u>\$275.<sup>00</sup></u> Meeting date: <u>Sept. 4, 2013</u>
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____
Application accepted by: <u>Drew Pennington</u>	Date: <u>8/8/13</u>

DISCLAIMER:  
Floor Plan is an approximation

E. Grand Avenue

Extra Land

Former Paint Booth



1119 Broad Street

**RESOLUTION  
AWARDING CONTRACT C12-15  
BROAD STREET PARKING LOT**

**WHEREAS**, the adopted capital improvements budget for 2012 provided funding and an appropriation for the maintenance of City Streets and Parking Lots, and;

**WHEREAS**, project design and construction bid specifications were developed by the City Engineer and distributed to qualified contractors, and;

**WHEREAS**, the project will resurface the Broad Street Parking Lot, and;

**WHEREAS**, four competitive bids were received, the low bid being from Rock Road, Companies Inc., and;

**WHEREAS**, Rock Road Companies, Inc. is a qualified bidder, therefore,

**IT IS RESOLVED**, that Contract C12-15, Broad Street Parking Lot, be, and hereby is, awarded to Rock Road Companies Inc., Janesville, Wisconsin, in the following amounts:

Rock Road Companies, Inc.  
P.O. Box 1779  
Janesville, WI 53547

Rock Road Companies, Inc. Base Bid	\$ 86,183.53
<u>Allowance for Change Orders and/or Extra Work</u>	<u>\$ 12,916.47</u>
<b>TOTAL PROJECT COST</b>	<b>\$ 99,100.00</b>

**AND IT IS FURTHER RESOLVED**, that the amount of \$99,100.00, be, and hereby is, funded as follows:

P4506604-5514-2012	Broad Street Parking Lot	\$ 95,000.00
P4506326-5514-2012	Grand Avenue Parking Lot	<u>\$ 4,100.00</u>
<b>TOTAL</b>		<b>\$ 99,100.00</b>

Dated at Beloit, Wisconsin this 3rd day of September, 2013.

City Council of the City of Beloit

\_\_\_\_\_  
Charles M. Haynes, President

ATTEST:

\_\_\_\_\_  
Rebecca Houseman LeMire, City Clerk

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Award of Construction Contract for C12-15, Broad Street Parking Lot

**Date:** September 3, 2013

**Presenter(s):** Gregory Boysen, Public Works Director

**Department(s):** Public Works/Engineering

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**Overview/Background Information:**

This project will resurface the Broad Street Parking Lot. Spot curb & gutter repairs along with manhole adjustments and new striping is also included.

---

**Key Issues (maximum of 5):**

1. Four (4) bids were received for this project. The low bid of \$86,183.53 was from Rock Road Companies, Inc. and is 13.6% less than the engineer's estimate of \$97,947.00.
2. Rock Road Companies, Inc. is considered a responsible bidder for this project.
3. The costs for this project are as follows: \$86,183.53 for construction, \$12,916.47 for Change Orders or extra work, for a total of \$99,100.00.
4. No properties will be special assessed for this project.
5. The project will be coordinated with the construction of the Phoenix Project, which is adjacent to the parking lot.

---

**Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):**

1. **Develop a high quality community through the responsible stewardship and enhancement of City resources to further Beloit's resurgence as a gem of the Rock River Valley.**
  - This project will enhance the quality of life in Beloit by improving the appearance and quality of the Broad Street Parking Lot while lowering maintenance costs.

---

**Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):**

- **Reduce dependence upon fossil fuels**  
N/A
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature**  
N/A
- **Reduce dependence on activities that harm life sustaining eco-systems**  
N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently**  
The improved pavement meets the present and future human needs by extending the life of the pavement, and reducing pavement maintenance.

---

**If any of the four criteria are not applicable to your specific policy or program, an N/A should be entered in that space.**

---

**Action required/Recommendation:**

The Engineering Division recommends awarding this Public Works Contract to Rock Road Companies, Inc. in the amount of \$83,183.53.

---

**Fiscal Note/Budget Impact:**

Funding for this project was approved in the 2012 budget.

# CITY OF BELOIT

## DEPARTMENTAL CORRESPONDENCE

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**TO:** Mike Flesch, City Engineer

**FROM:** Jason Dupuis, Transportation Engineer (ext. 6735)

**DATE:** August 22, 2013

**SUBJECT:** Bid Results for Contract C12-15  
Broad Street Parking Lot

Pursuant to advertisements placed August 7 and 14, 2013, bids were received until 10:00 A.M. on August 22, 2013 for the Broad Street Parking Lot project. A tabulation of bids is attached.

Four (4) bids were received for this project as follows:

1. <b>Rock Road Companies, Inc.</b>	<b>Janesville, WI</b>	<b>\$ 86,183.53</b>	<b>*Low Bid*</b>
2. Frank Brothers, Inc.	Janesville, WI	\$ 91,120.70	+ 5.7%
3. <i>Engineer's Estimate</i>		\$ 97,947.00	+ 13.6%
4. E&N Hughes Co., Inc.	Monroe, WI	\$ 100,997.90	+ 17.2%
5. Norwest Construction, Inc.	South Beloit, IL	\$ 110,476.69	+ 28.2%

Upon review of the Contractor's Proof of Responsibility Statement, Rock Road Companies, Inc. is determined to be a responsible bidder.

I recommend that the contract be awarded to Rock Road Companies, Inc. of Janesville, WI. The following is a breakdown of the proposed project cost:

### COSTS

Rock Road Companies, Inc. Base Bid	\$ 86,183.53
Allowance for Change Orders and/or Extra Work	<u>\$ 12,916.47</u>
<b>TOTAL PROJECT COST</b>	<b>\$ 99,100.00</b>

### PROJECT INFORMATION

This project will resurface the Broad Street Parking Lot. Spot curb & gutter repairs along with manhole adjustments and new striping is also included.



**BROAD STREET PARKING LOT**

C12-15

BID DATE: 8/22/2013 10:00 A.M.

**BID TABULATION**

ITEM NO.	BID ITEMS DESCRIPTION	CONTRACT QUANTITY		ROCK ROAD COS., INC.		FRANK BROS., INC.		ENGINEER'S ESTIMATE		E&N HUGHES CO., INC.		NORWEST CONSTRUCTION, INC.	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
<b>REMOVALS AND EROSION CONTROL</b>													
1	Removing Asphaltic Surface	4034	SY	\$2.10	\$8,471.40	\$1.40	\$5,647.60	\$5.00	\$20,170.00	\$3.35	\$13,513.90	\$4.55	\$18,354.70
2	Curb & Gutter Removal	86	LF	\$4.57	\$393.02	\$10.00	\$860.00	\$10.00	\$860.00	\$5.10	\$438.60	\$10.00	\$860.00
3	Concrete Sidewalk Removal	67	SF	\$2.39	\$160.13	\$2.00	\$134.00	\$7.00	\$469.00	\$4.45	\$298.15	\$3.00	\$201.00
4	Concrete Pavement Removal	35	SY	\$5.13	\$179.55	\$9.00	\$315.00	\$10.00	\$350.00	\$6.45	\$225.75	\$20.00	\$700.00
5	Sawing	65	LF	\$3.00	\$195.00	\$7.69	\$499.85	\$3.00	\$195.00	\$3.65	\$237.25	\$5.00	\$325.00
6	Common Excavation	100	CY	\$15.00	\$1,500.00	\$23.00	\$2,300.00	\$15.00	\$1,500.00	\$20.30	\$2,030.00	\$30.00	\$3,000.00
<b>ROADWAY</b>													
7	HMA Pavement, Type E-0.3, Binder	460	TON	\$60.75	\$27,945.00	\$70.00	\$32,200.00	\$60.00	\$27,600.00	\$68.20	\$31,372.00	\$75.63	\$34,789.80
8	HMA Pavement, Type E-0.3, Surface	460	TON	\$60.75	\$27,945.00	\$65.00	\$29,900.00	\$60.00	\$27,600.00	\$68.20	\$31,372.00	\$75.63	\$34,789.80
9	Base Aggregate, Dense, 1 1/4-inch	140	TON	\$16.00	\$2,240.00	\$9.25	\$1,295.00	\$15.00	\$2,100.00	\$27.10	\$3,794.00	\$15.00	\$2,100.00
10	Select Crushed Material, 3-inch	100	TON	\$16.00	\$1,600.00	\$9.50	\$950.00	\$20.00	\$2,000.00	\$29.40	\$2,940.00	\$15.00	\$1,500.00
11	Concrete Curb & Gutter. 24-inch, Type D	86	LF	\$41.24	\$3,546.64	\$58.00	\$4,988.00	\$30.00	\$2,580.00	\$33.00	\$2,838.00	\$25.00	\$2,150.00
12	Concrete Sidewalk, 4-inch	67	SF	\$4.54	\$304.18	\$10.00	\$670.00	\$5.00	\$335.00	\$8.80	\$589.60	\$8.00	\$536.00
13	Concrete Driveway, 6-Inch	35	SY	\$50.50	\$1,767.50	\$62.00	\$2,170.00	\$35.00	\$1,225.00	\$9.90	\$346.50	\$45.00	\$1,575.00
14	Pavement Marking, 4-inch, Epoxy	2071	LF	\$3.75	\$7,766.25	\$3.75	\$7,766.25	\$3.00	\$6,213.00	\$4.15	\$8,594.65	\$4.09	\$8,470.39
15	Pavement Marking, Epoxy, Symbols	5	EA	\$85.00	\$425.00	\$85.00	\$425.00	\$250.00	\$1,250.00	\$93.50	\$467.50	\$55.00	\$275.00
16	Supply and Install Neenah R-1710 MH Casting & Type "B" Lid and up to 12" of New Adjusting Rings	1	EA	\$1,344.86	\$1,344.86	\$700.00	\$700.00	\$2,000.00	\$2,000.00	\$857.00	\$857.00	\$350.00	\$350.00
17	Traffic Control Complete	1	LS	\$400.00	\$400.00	\$300.00	\$300.00	\$1,500.00	\$1,500.00	\$1,083.00	\$1,083.00	\$500.00	\$500.00
<b>TOTAL PROPOSAL</b>				<b>\$86,183.53</b>		<b>\$91,120.70</b>		<b>\$97,947.00</b>		<b>\$100,997.90</b>		<b>\$110,476.69</b>	

\*(as corrected)

\*Read as \$110,475.69



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND VARIOUS SECTIONS OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT PERTAINING TO THE NAME CHANGE OF THE EQUAL OPPORTUNITIES AND HUMAN RELATIONS COMMISSION.**

The City Council of the City of Beloit, Rock County, Wisconsin, do ordain as follows:

**Section 1.** The introduction of section 1.09(6)(b) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(b) The Affirmative Action Officer shall, at least semiannually, file a written progress report with the City Manager, City Council and the Equal Opportunities ~~and Human Relations~~ Commission indicating the progress toward achieving the affirmative action goals. The report shall include, but not be limited to, the following:”

**Section 2.** Section 1.09(7) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(7) REVIEW. This section is to be reviewed by the City Manager and the Equal Opportunities ~~and Human Relations~~ Commission and reports filed with the City Council 6 months from the date of the adoption of the Citywide Affirmative Action Program and shall be reviewed semiannually by the City Manager and Equal Opportunities ~~and Human Relations~~ Commission and information compiled for review shall be available for public viewing.”

**Section 3.** Section 1.11(5)(a)8 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“8. Equal Opportunities ~~and Human Relations~~ Commission Chairperson.”

**Section 4.** Section 1.54(3)(a)4 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“4. *Fair Housing Enforcement and Administration.* This division shall be responsible for fair housing activities as well as providing staff support and otherwise assisting the Equal Opportunities ~~and Human Relations~~ Commission in performing its powers and duties.”

**Section 5.** The title to section 1.82 shall be amended to read “Equal Opportunities Commission.”

**Section 6.** Section 1.82(1) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(1) CREATION. The Equal Opportunities~~—and Human Relations~~ Commission is hereby created.”

**Section 7.** The introduction of section 1.82(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) MEMBERSHIP. The Equal Opportunities~~—and Human Relations~~ Commission shall consist of 8 or 9 members as follows:”

**Section 8.** Section 1.82(2)(c) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(c) Rights and Privileges. All members of the Equal Opportunities~~—and Human Relations~~ Commission shall have the same rights and privileges, including the right to vote, except that the City Council President and City Council representative shall not have the right to vote.”

**Section 9.** Section 1.82(3)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(a) City Councilor. The City Council representative shall be appointed by the City Council President, subject to confirmation by the City Council, at the City Council's organizational meeting in April of each year, except that the initial Council representative shall be appointed as soon as possible after the creation of the Equal Opportunities~~—and Human Relations~~ Commission. The City Council President may be appointed as the City Council representative.”

**Section 10.** Section 1.82(4)(c) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(c) Subsequent Terms. No citizen member may be appointed for more than 2 successive, full terms. No citizen member who served 2 consecutive full terms on the Equal Opportunities Commission~~—or the Human Relations Commission~~, including any full term completed as a member of the Equal Opportunities and Human Relations Commission may be appointed for an additional term, except as herein provided. A citizen member who serves 2 successive, full terms shall be eligible for reappointment one year after the member completes his/her last full term.”

**Section 11.** Section 1.82(8) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(8) OFFICERS AND DUTIES. The Equal Opportunities ~~and Human Relations~~ Commission shall select a chair, vice-chair and secretary annually at its ~~July~~ August meeting. The commission shall submit the chair's name to the City Clerk immediately after the election. The chair shall preside over all meetings of the commission. The vice-chair shall preside over the meetings in the chair's absence. In the absence of both the chair and vice-chair, a president pro tem shall be chosen from those present and shall preside. The secretary shall record the minutes of each meeting and shall transmit a written copy of the minutes and the records of the commission to the City Clerk. The City Clerk shall be the custodian of the records of the commission.”

**Section 12.** Section 20.02(1) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(1) ADMINISTRATION OF FAIR HOUSING CODE. The purposes and provisions of this chapter shall be administered by the ~~Beloit~~ Equal Opportunities ~~and Human Relations~~ Commission established by §1.82 of this Municipal Code and, where necessary, the City Attorney.”

**Section 13.** The introduction to section 20.02(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) POWERS AND DUTIES. In administering this chapter, the Equal Opportunities ~~and Human Relations~~ Commission shall have the following powers and duties:”

**Section 14.** Section 20.07 of the Code of General Ordinances of the City of Beloit is hereby amended to include, in alphabetical order, the following additions and deletions to chapter definitions:

“*Commission.* The ~~Beloit~~ Equal Opportunities ~~and Human Relations~~ Commission.”

“*Commissioner.* A member of the ~~Beloit~~ Equal Opportunities ~~and Human Relations~~ Commission.”

**Section 15.** This ordinance shall be in force and take effect upon passage and publication.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

BELOIT CITY COUNCIL

By: \_\_\_\_\_  
Charles M. Haynes, President

ATTEST:

By: \_\_\_\_\_  
Rebecca Houseman LeMire, City Clerk

PUBLISHED: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_

01-611100-5231- \_\_\_\_\_

tdh/ordinances/EOHRC Name Change= ORD 130807 (13-1165)



# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Consideration of the proposed ordinance changing the name of the Equal Opportunities and Human Relations Commission to the Equal Opportunities Commission

**Date:** September 3, 2013

**Presenter(s):** Julie Christensen

**Department:** Community Development

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### Overview/Background Information:

The Equal Opportunities and Human Relations Commission (EOHRC) is recommending changing their name from the Equal Opportunities and Human Relations Commission (EOHRC) to the Equal Opportunities Commission (EOC). On August 21, 2013 the EOHRC unanimously approved the attached ordinance revision, and recommended the name change. The Commission believes the name change will help clarify the purpose and activities of the commission.

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### Key Issues (maximum of 5):

1. The name "Equal Opportunities and Human Relations Commission" with the acronym EOHRC has proven to be very confusing to the public, City staff, and the Commissioners themselves because very few people can remember the name, and the duties of the Commission are not readily apparent by its name.
  2. The current name is the result of combining two previous Commissions; the Human Relations Commission, which provided protections regarding employment discrimination, and the Equal Opportunities Commission, which provided protections regarding Fair Housing issues. The City combined the Commissions in December 2000, following a strategic retreat with the two commissions. The consensus of the group following the retreat was to merge.
  3. A majority of similar Commissions in the state that administer and enforce Fair Housing issues use the name "Equal Opportunities Commission", therefore changing the name to one that is well known and associated with Fair Housing will create consistency in the State, while clarifying the purpose and duties of the Commission.
- 

### Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

- o Consideration of this request supports Strategic Goal #5.
- 

### Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- **Reduce dependence upon fossil fuels** – Not applicable
  - **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – Not Applicable
  - **Reduce dependence on activities that harm life sustaining eco-systems** – Not Applicable
  - **Meet the hierarchy of present and future human needs fairly and efficiently** – This proposed name change better meets the needs of the city staff, the community and residents.
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### Action required/Recommendation:

EOHRC recommends approval of the proposed ordinance.

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### Fiscal Note/Budget Impact:

Not Applicable

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### Attachments:

ORD 130807 (13-1165)

**RESOLUTION  
APPROVING BENEFITS FOR EMPLOYEES  
IN SAME-SEX RELATIONSHIPS WHO MEET ELIGIBILITY REQUIREMENTS**

**WHEREAS**, the City of Beloit is an organization committed to non-discrimination, as expressed in applicable City ordinances and the City's non-discrimination policies regarding provision of services and employment; and

**WHEREAS**, those non-discrimination ordinances and policies include a commitment not to discriminate on the basis of sexual orientation or family status; and

**WHEREAS**, many current employers including the State of Wisconsin, several other Wisconsin municipalities, institutions of higher education, and private sector employers have extended employee benefits to same gender domestic partners and their dependents; and

**WHEREAS**, the City of Beloit compensates employees through more than just wages and salary by providing a range of benefits to the employees, including health care, prescription drug coverage, dental insurance, and other employee benefits offered consistent with the traditional plan structure including opposite gender spouses and dependents of the City's employees; and

**WHEREAS**, extension of benefits including health care, prescription drug coverage, dental insurance, and other employee benefits not currently required by law to be extended to same gender domestic partners and their dependents would increase the attractiveness of the City's employment benefit package, thus facilitating successful employee recruitment and retention; and

**WHEREAS**, Wis. Stats. Sec. 40.02(21d) provides a definition of "domestic partners" for Wisconsin Retirement System and certain State health insurance benefit purposes and Wis. Stats. Sec. 770.01(1) also defines that term for the purposes of the Wisconsin Domestic Partnership Registry; and

**WHEREAS**, the Beloit City Council finds that it is in the best interest of the City to extend employment benefits to domestic partners as that term is defined in Wis. Stats. 770.01(1).

**NOW, THEREFORE, BE IT RESOLVED** that the City of Beloit shall allow access to and offer health care, prescription drug coverage, dental insurance, and other employee benefits to domestic partners of City employees in the same fashion such benefits are extended to spouses of married City employees. Such benefits shall be provided to the extent allowed by the IRS and otherwise allowed by law, specifically including any amendments or new enactments of Wisconsin laws relating to domestic partners, civil unions or same sex marriages; and should such amendments or enactments occur, such benefits shall be extended as allowed therein; and

**BE IT FURTHER RESOLVED** that the City will extend health care, prescription drug coverage, dental insurance, and other employee benefits to all qualifying domestic partners of City employees according to the following guidelines:

1. The definition of domestic partnership of same gender couples used by the City of Beloit will be that used by Wis. Stats. Sec. 40.02(21d) and 770.01(1).

2. The City of Beloit shall require verification of current valid domestic partner registration pursuant to Wis. Stats. Chapter 770, the Domestic Partnership Act, or the documentation required by any subsequent change in state law.
3. The provision of these benefits will be extended to the dependents of those same gender domestic partners as they would be to the dependents of legally married employees under the then current provision for dependent coverage in the relevant benefit program.
4. The benefits provided to domestic partners and their dependents shall be as nearly equal as possible to those offered to legally married partners, including non-insurance benefits such as funeral leave for the death of a domestic partner and use of sick leave to care for a domestic partner.

**BE IT FURTHER RESOLVED** that this resolution shall become effective on January 1, 2014.

Adopted this 3<sup>rd</sup> day of September, 2013.

**City Council of the City of Beloit**

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**Charles M. Haynes, President**

Attest:

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Rebecca Houseman LeMire, City Clerk

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL



**Topic:** Discussion Regarding Providing Employee Benefits, Particularly Group Health Insurance, to Same Sex Couples that Meet Certain Standards

**Date:** September 3, 2013

**Presenter(s):** Larry N. Arft and Florence Haley

**Department(s):**

**City Manager and Human Resources**

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### Overview/Background Information:

The issue of providing group health benefits and equalizing other personnel related fringe benefits for same sex couples is a contemporary topic of discussion throughout the United States. Many states have already statutorily permitted full marriage between committed same sex couples, and other states have either a lesser variant recognizing some type of partnership arrangement. This trend is likely to continue. In Wisconsin, we have a constitutional amendment which prohibits recognition of any type of same sex partnership or marriage (including legal marriages from other states). Despite the constitutional amendment, a registry has been established where committed same sex couples can register their relationship.

Many communities around the United States, including within the State of Wisconsin as well as numerous private corporations, have been moving to equalize benefits among all committed couples, be they in a more traditional marriage, or same sex couples that are recognized as having a committed relationship and living together in a single domestic household. The recent Supreme Court decision has shed additional light on the issue of equal protection for these individuals.

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### Key Issues (maximum of 5):

1. Although the issue of same sex marriage is still controversial, the trends seem to be moving each year toward a point where there will be some recognition of committed same sex couples forming a permanent relationship equal to marriage, which has existed for centuries for heterosexual couples.
2. The recent Supreme Court decision places additional focus on the issues of equal protection and the need to treat all employees fairly and equitably.
3. Many cities in the State of Wisconsin, along with numerous private corporations, have already made the adjustment to recognize same sex couples living in domestic households, including our neighboring City of Janesville.
4. While the City has no list or idea of how many such couples may currently be employed, we do believe in the future this could be an issue in both recruiting and retaining employees and is an issue that must be addressed at some time.

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### Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

- **Apply sound, sustainable practices to promote a high quality community through historic preservation, community revitalization and successful new development.**

We do not anticipate any impact on implementation of the Strategic Plan should this policy be changed.

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### Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- **Reduce dependence upon fossil fuels**
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature**
- **Reduce dependence on activities that harm life sustaining eco-systems**
- **Meet the hierarchy of present and future human needs fairly and efficiently**

Once again, we do not foresee any impact on the City's sustainability program or its green initiatives as a result of any proposed change.

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### If any of the four criteria are not applicable to your specific policy or program, an N/A should be entered in that space.

### Action required/Recommendation:

It is the recommendation of the City Manager that the City amend its policies to recognize same sex couples that are listed on the Wisconsin Registry. Such couples would be afforded the same benefit structure as is provided to heterosexual couples, including the ability to participate in the City's group health insurance plan, as well as have equal benefit eligibility for family and medical leave, sick leave for dependency care, and funeral leave rights.



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**Fiscal Note/Budget Impact:**

It is virtually impossible to predict the budget impact of this change. Other jurisdictions have placed it at somewhere less than 1% of health costs. At the current time, we have no idea whether we have any same sex couples within the corporate structure that would access the benefit. Our health care consultant has expressed some concern about what's called "adverse selection" by same sex partners. This phenomenon would occur because the City still does not charge a premium for employee participation, including dependent coverage, so that some same sex partners may opt out of their employer's coverage in order to take advantage of the City's attractive benefit program.

Once again, only couples that are eligible would be able to make this selection and we do not have a hard number on how many such individuals may opt into coverage should it be extended to same sex couples. The cost for extending other benefits would be relatively minimal and generally reflected in lost time due to the use of leave benefits as opposed to out of pocket expense.